

REMARKS

Applicant respectfully requests favorable reconsideration of this application, as amended.

Claims 1-21 are previously presented, with Claims 1 and 19 being independent. Claim 1 has been canceled. Claims 2-4, 14-16, and 18 have been amended and Claims 22-25 have been added and depend from Claim 3. Thus, Claims 2-25 are pending in this application.

Applicant would like to thank the Examiner for the courtesies extended to Applicant's representatives in the telephone interview held on August 2, 2006. In accordance with MPEP § 713.04 submitted concurrently herewith is a Statement of Substance of Interview for the August 2, 2006 interview.

Applicant notes, with appreciation, the Examiner's indication that Claims 19-21 are allowable and that Claims 3-13, 17 and 18 are objected to, but would be allowable, if rewritten in independent form to include all of the limitations of Claim 1 and any intervening claims.

Claims 1 and 2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Davis (US 4,323,808) (hereinafter "Davis") and which is to the inventor of the present application. Claim 1 has been canceled, rendering its rejection moot. The rejection of Claim 2 is respectfully traversed.

Regarding Claim 2, which has been rewritten in independent form to include all elements of Claim 1 (now canceled), Davis is cited as allegedly disclosing a cathode enhancing laser positioned to direct a laser beam to strike an emissive surface of a

cathode emitter. This is an incorrect interpretation of the cited reference. Rather, Davis discloses a laser 170 with an output that “passes through an opening 173 in the heater 48 and through a laser window 174 in the cathode/emitter 10” without striking the emissive surface of the cathode emitter (See Figs. 1A and 1B and Col. 3, Lines 41-44, emphasis added). Therefore, the cited reference fails to disclose certain features of Applicant's invention, namely a laser beam directed to strike an emissive surface of a cathode emitter. Accordingly, the § 102(b) rejection of Claim 2 based on this reference is therefore untenable and the Examiner is respectfully requested to withdraw the rejection and issue a Notice of Allowance for Claim 2 and Claims 6-18 that depend therefrom (Claims 14-16 and 18 having been amended to depend from Claim 2).

Regarding Claim 3, the claim, as discussed with the Examiner, has been rewritten in independent form to include the elements of independent Claim 1 (now canceled) and should, therefore, be allowed. Claims 4 and 5 depend from Claim 3 and should be allowed for at least the same reasons as Claim 3. Claims 22-25 have been added to provide more comprehensive protection for Applicants invention and should be allowed for at least the same reasons as Claim 3.

It is respectfully urged that this application now be passed to issue.

Should the Examiner believe that any further action is necessary to place this application in better form for allowance, the Examiner is invited to contact Applicant's representatives at the telephone number listed below.

The Commissioner is hereby authorized to charge to Deposit Account No. 50-1165 (T2191-908028US01) any fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this paper and to credit any overpayment to that Account. If any extension of

time is required in connection with the filing of this paper and has not been separately requested, such extension is hereby requested.

Respectfully submitted,

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